

**Town Board Minutes**  
(Municipal Review Committee )

**Meeting**  
**No. 7**

**Special Meeting**

**February 26, 2007**

# Town Board Minutes

February 26, 2007

Meeting No. 7

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 26<sup>th</sup> day of February 2007, at 6:30 PM and there were

**PRESENT:** DANIEL AMATURA, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR  
REBECCA ANDERSON, PLANNING BOARD MEMBER  
JOHN GOBER, PLANNING BOARD MEMBER  
MICHAEL MYSZKA, PLANNING BOARD MEMBER  
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

**ABSENT:** LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER  
STEVEN SOCHA, PLANNING BOARD MEMBER  
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

## **PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for three (3) actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE  
B & D CONCRETE CORPORATION SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the B & D Concrete Corporation site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 2.174 acres.

The location of the premises being reviewed is situate at lot # 18 of Lancaster Parkway, north of Walden Avenue, east of Pavement Road, Lancaster, County of Erie, New York.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY PLANNING BOARD MEMBER SZYMANSKI  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:**  
**B & D CONCRETE CORPORATION SITE PLAN**  
**NEGATIVE DECLARATION**

**REASONS SUPPORTING DETERMINATION  
FINDINGS STATEMENT - PROJECT IMPACTS**

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)

- C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

**No significant adverse effects noted**

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

**No significant adverse effects noted**

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

**No significant adverse effects noted**

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

**No significant adverse effects noted**

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

**No significant adverse effects noted**

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

**No significant adverse effects noted**

- C.7 Other impacts (including changes in use of either quantity or type of energy).

**No significant adverse effects noted**

- D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

Robert H. Giza, Supervisor  
Town of Lancaster

SEAL

February 26, 2007

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

February 26, 2007

**IN THE MATTER OF THE SEQR REVIEW OF THE  
DOODLE BUGS! SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Doodle Bugs ! site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 1.75 acres.

The location of the premises being reviewed is situate at 14 Rehm Road, Town of Lancaster, County of Erie, New York.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY PLANNING BOARD MEMBER GOBER  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:  
DOODLE BUGS ! SITE PLAN  
NEGATIVE DECLARATION**

## REASONS SUPPORTING DETERMINATION

### FINDINGS STATEMENT - PROJECT IMPACTS

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type I threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)

- C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

**No significant adverse effects noted**

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

**No significant adverse effects noted**

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

**No significant adverse effects noted**

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

**No significant adverse effects noted**

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

**No significant adverse effects noted**

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

**No significant adverse effects noted**

- C.7 Other impacts (including changes in use of either quantity or type of energy).

**No significant adverse effects noted**

- D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).

E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

Robert H. Giza, Supervisor  
Town of Lancaster

SEAL

February 26, 2007

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

February 26, 2007



**IN THE MATTER OF THE RE-OPENING OF THE SEQR REVIEW OF**

**WAINWRIGHT COURT SUBDIVISION**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Wainwright Court Subdivision matter with a review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 5.6± acres.

The location of the premises being reviewed is at the north end of Wainwright Court, Town of Lancaster, County of Erie, New York.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER AMATURA, WHO MOVED  
ITS ADOPTION, SECONDED BY PLANNING  
BOARD MEMBER MYSZKA, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION**

**IN THE MATTER OF THE RE-OPENING OF THE SEQR REVIEW OF**

**WAINWRIGHT COURT SUBDIVISION  
NEGATIVE DECLARATION**

The Municipal Review Committee has re-opened this review to address specific concerns identified during their initial review on July 17, 2006. During the initial Review the Municipal Review Committee identified potential impacts on threatened or endangered species as well as a potential impact on an archaeologically sensitive location. Attached hereto, as an addendum, is the Findings Statement from the initial Review on July 17, 2006.

**REASONS SUPPORTING DETERMINATION**

**ADDITIONAL FINDINGS STATEMENT - PROJECT IMPACTS**

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has determined, based upon responses from the project sponsor, the following:

- That the proposed action will not affect any threatened or endangered species.
- That the proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.

s/s \_\_\_\_\_

**SEAL**

Robert H. Giza, Supervisor  
Town of Lancaster

February 26, 2007

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

February 26, 2007

**ADDENDUM**  
**IN THE MATTER OF THE SEQR REVIEW OF THE**  
**WAINWRIGHT COURT SUBDIVISION** *(Dated July 17, 2006)*

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Wainwright Court Subdivision matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 5.6± acres.

The location of the premises being reviewed is situated on Wainwright Court, County of Erie, Town of Lancaster, New York.

**FINDINGS STATEMENT**

**PROJECT IMPACTS**

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
  - Construction is proposed on land where the depth to the water table is .5 to 1.5 feet seasonally.
2. The proposed action will not affect any unique or unusual land forms found on the site.

3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity.
  - It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. Potential impacts on threatened or endangered species are not yet determined.
  - The possible presence of Northern Tansy Mustard, an endangered species, must be addressed by the project sponsor.
  - It is known that herbicides and or pesticides will be used for lawn care purposes.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. Potential impacts on a site or structure of historic, pre-historic or paleontological importance are not yet determined.
  - A qualified professional must determine if the site is in an archaeologically sensitive location and report to the Town.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. The proposed action will not affect existing transportation systems.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.

19. The proposed action will have a small to moderate affect on the character of the existing community.
- There may be a moderate increase in demand for police, fire & school services.
  - There will be a small increase in employment during construction.
20. It is unknown if there will be public controversy related to potential adverse environmental impacts.

**THE FOLLOWING MOTION WAS MADE BY  
PLANNING BOARD CHAIRMAN KEYSA  
AND SECONDED BY COUNCIL MEMBER  
STEMPNIAK, TO WIT:**

**That the aforementioned findings be adopted, and that this matter be tabled pending further information, specifically responses from the project sponsor to items No. 8 and No. 12 of the Findings Statement.**

The question of the adoption of the foregoing motion was duly put to a vote, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The motion was thereupon unanimously adopted.

July 17, 2006

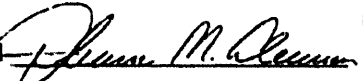
**ADJOURNMENT:**

ON MOTION OF PLANNING BOARD MEMBER ANDERSON AND  
SECONDED BY COUNCIL MEMBER AMATURA FOR ADJOURNMENT OF THE  
MEETING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT

The meeting was adjourned at 6:47 P.M.

Signed

  
Johanna M. Coleman, Town Clerk

# **Town Board Minutes**

## **Meeting No. 8**

### **Regular Meeting**

**February 26, 2007**



# Town Board Minutes

February 26, 2007

Meeting No. 8

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 26<sup>th</sup> day of February 2007 at 8:00 P.M. and there were

**PRESENT:** DANIEL AMATURA, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER\*  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
RICCARDO ZUPPELLI, POLICE CAPTAIN  
TERRENCE McCracken, GENERAL CREW CHIEF  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

\* Council Member Stempniak excused herself at the end of the meeting due to illness and did not attend executive session.

## EXECUTIVE SESSION:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER MONTOUR AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the contracts with the fire departments of the Town of Lancaster.

At 10:05 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

## PERSONS ADDRESSING TOWN BOARD:

Chowanec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matter:

- comments regarding Windsor Ridge Subdivision and wetlands

Stribing, Jeffrey, 99 Sixth Avenue, spoke to the Town Board on the following matter:

- requests the Town Board's support for a Main Street grant application by passing a resolution of support for this project

Korcz, Richard, 4946 William Street, spoke to the Town Board on the following matters:

- alleges finding food rubbish in his back yard from Aurora Markets
- alleges violations at Aurora Markets

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- F. O. I. L. requests
- accident on Stony Road
- Pleasant Meadows Subdivision
- historic cemetery off Pleasant View Drive

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon proposed amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster for stop & yield intersections in Countryview Subdivision.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
None		

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, the public hearing was closed at 8:31 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

February 26, 2007

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the minutes of the Joint Meeting of the Town Board and  
the Planning Board held February 5, 2007 and the Regular Meeting of the Town Board held  
February 5, 2007 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, Pleasant Meadows, LLC, 2730 Transit Road, West Seneca, New York, has requested the Town Board of the Town of Lancaster accept work completed under Street Lighting Public Improvement within Pleasant Meadows Subdivision I within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney has directed the Town Clerk to prepare the resolution for acceptance of the Public Improvement for the above subdivision in his letter dated February 13, 2007.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Street Lighting Public Improvement within Pleasant Meadows Subdivision I be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 624 - Street Lights

and,

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

File: RPIP (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster duly made appointments  
at the annual organizational meeting of the Town Board which occurred on January 2, 2007, and

**WHEREAS**, two appointments were inadvertently left off of the  
beforementioned resolution, and

**WHEREAS**, these positions have been fully budgeted in the respective  
departments;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Schedule of Salaries adopted January 2, 2007 be hereby  
amended and made retroactive to January 1, 2007 as follows:

- Town Drainage Officer P.T. - Richard Reese - in a sum of \$5,000 annually to  
be paid over twenty-six pay periods in equal amounts.
- Deputy Town Attorney (Part-time) - Richard J. Sherwood - up to \$2,500  
annually to be paid at a rate of \$50 per hour for hours submitted.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

File: rsalary207

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town Board has previously authorized the Supervisor for the Town of Lancaster to enter into a contract with G & K Sewer Construction Company, Inc., 3135 Walden Avenue, Depew, New York 14043 for the purpose of having this contractor complete revision of storm sewer bubblers on an as needed basis to assist the Highway Superintendent in addressing problems which have occurred over time with the storm sewer bubblers where they connect to the main storm sewer on Town roads, and

**WHEREAS**, the Highway Superintendent has advised that the \$10,000 sum which was appropriated for this work in the resolution of November 6, 2006 has now been expended and has now requested that the Town appropriate an additional sum not to exceed \$5,000, and

**WHEREAS**, the Town Board has given due consideration to this request and deems it in the public interest to employ this outside contractor to undertake this specialized seasonal work, and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the appropriation of an additional sum of \$5,000 to be used for payment for work completed by G & K Sewer Construction Company, Inc., 3135 Walden Avenue, Depew, New York 14043 on the revision of storm sewer bubblers at the direction of the Highway Superintendent.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

File: rg&ksewerconstruction1207

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED IT'S ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS**, a Public Hearing was held on the 26th day of February, 2007  
for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the  
Town of Lancaster and persons for and against such amendment have had an opportunity to be  
heard, and

**WHEREAS**, a Notice of said Public Hearing was duly published and  
posted:

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of  
the Town of Lancaster be amended in the form attached hereto  
and made a part hereof;
2. That said amendment be added in the minutes of the meeting of  
the Town Board of the Town of Lancaster held on February 26,  
2007;
3. That a Certified Copy thereof be published in the Lancaster Bee  
on March 1, 2007;
4. That a Certified Copy of the amendment be posted on the Town  
Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town  
Clerk;
6. That the Highway Superintendent take whatever action is  
necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

**LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

**CHAPTER 46**

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION  
STOPS; YIELD INTERSECTIONS**

46-8.1 Stop Intersections designated, is hereby amended by adding thereto the following:

**COUNTRYVIEW SUBDIVISION**

<b><u>STREET NAME</u></b>	<b><u>INTERSECTING STREET</u></b>	<b><u>SIGN LOCATION</u></b>
Shadyside Lane	Pheasant Run Lane	N.E. Corner
Pheasant Run Lane	Shadyside Lane	S.W. Corner

February 26, 2007

STATE OF NEW YORK :  
COUNTY OF ERIE : ss:  
TOWN OF LANCASTER :

THIS IS TO CERTIFY that I, JOHANNA M. COLEMAN, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 26th day of February 2007, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 26th day of February, 2007.

Johanna M. Coleman, Town Clerk



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has previously advertised for bids pursuant to the statutory requirement of §103 General Municipal Law for the furnishing of one (1) new 2007 Chevy Silverado 3/4 ton, 4 X 4 extended cab pick-up truck to the Highway Department of the Town of Lancaster in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

**WHEREAS**, said bids were opened on February 21, 2007, and

**WHEREAS**, the Town Highway Department of the Town of Lancaster has recommended the purchase of the beforementioned vehicle in accordance with said specifications from the low bidder thereon, Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid of Joe Basil Chevrolet is accepted as being the lowest responsible bid in compliance with the bid specifications and that an order for this vehicle is hereby authorized to be place by the Town Highway Department for one (1) new 2007 Chevy Silverado 3/4 ton, 4 X 4 extended cab pick-up truck in the sum not to exceed the price of \$25,631 which sum shall be paid with funds available in the 2007 Highway Department budget.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

File: rhighwaydeptvehicle107a

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has previously advertised for bids pursuant to the statutory requirement of §103 General Municipal Law for the furnishing of one (1) new 2007 Chevy 3/4 ton 4 X 4 extended cab pickup truck for the Town Engineering Department in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

**WHEREAS**, said bids were opened on February 21, 2007, and

**WHEREAS**, the Town Engineering Department of the Town of Lancaster has recommended the purchase of the beforementioned vehicle in accordance with said specifications from the low bidder thereon, Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the bid of Joe Basil Chevrolet is accepted as being the lowest responsible bid in compliance with the bid specifications and that an order for this vehicle is hereby authorized to be placed by the Town Engineering Department as follows:

A. The purchase of one (1) 2007 Chevy 3/4 ton 4 X 4 extended cab pickup truck with options for a total expenditure of \$23,818.00 minus the trade-in allowance for the vehicle as set out in the bid.

2. That the following vehicle be traded to Joe Basil Chevrolet, as per the trade-in allowance listed on the bid form:

A. One (1) 1998 Chevrolet 2500 extended  
cab pickup \$4,800.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has duly advertised for bids for furnishing to the Town of Lancaster the necessary trees for the 2007 Tree Planting Program in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

**WHEREAS**, said bids were duly opened on February 22, 2007, and

**WHEREAS, CONCORD NURSERIES, INC.**, 10175 Mile Block Road, North Collins, New York, 14111, has submitted the lowest responsible bid in the amount of \$7,711 for furnishing said trees to the Town of Lancaster, and

**WHEREAS**, the General Crew Chief, by letter dated February 22, 2007 requests the Town Board to accept the bid of Concord Nurseries, Inc., and

**WHEREAS**, by same letter, the General Crew Chief has requested that he be authorized to purchase additional trees at the 2007 bid prices from Concord Nurseries, Inc. at his discretion for whatever other tree plantings the Town may incur in 2007.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid of **CONCORD NURSERIES, INC.**, 10175 Mile Block Road, North Collins, New York, 14111, being the lowest responsible bid in conformance with the specifications relating thereto, be and hereby is accepted, and

**BE IT FURTHER**

**RESOLVED**, that the General Crew Chief be and is hereby authorized to place orders with Concord Nurseries, Inc. for those trees which the Town of Lancaster needs for its 2007 Tree Planting Program, and

**BE IT FURTHER**

**RESOLVED**, that the General Crew Chief be and is hereby authorized to purchase additional trees at the 2007 bid prices from Concord Nurseries, Inc. at his discretion for whatever other tree plantings the Town may incur in 2007.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**WHEREAS**, a vacancy exists in the Dog Control Office for a Dog Control Officer, Part-time, and

**WHEREAS**, the Dog Control Officer has recommended the appointment of William Gummo, 83 Rumford Street, Depew, New York 14043 to the position of Dog Control Officer, Part-time.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that William Gummo, 83 Rumford Street, Depew, New York 14043 be and is hereby appointed to the position of Dog Control Officer, Part-time, with no health benefits, insurance, sick days, vacation, or other benefits, effective February 27, 2007, and

**BE IT FURTHER**

**RESOLVED**, that the salary for this position is \$11.18 per hour which is 75% of the full salary of \$14.91, as set forth in the 2007 Schedule of Salaries.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

**PREFILED RESOLUTION NO. 10 - MEETING OF 2/26/07**

Stempniak/ \_\_\_\_\_

Approve Site Plan B & D Concrete Corporation

At the request of Council Member Stempniak, this resolution was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, grant monies may be available via Congressman Thomas Reynolds to replace fourteen water mains and construct four new water mains, and

**WHEREAS**, improvements to the water delivery system will enhance operations and increase service to the commercial development at the corner of Transit Road and Wehrle Drive and the Hillview residential area of the Town.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to Congressman Reynolds for the purpose of securing this grant, and

**AND BE IT FURTHER**

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, Chief of Police Gary Stoldt has been on a medical leave of absence since January 22, 2007, and

**WHEREAS**, Captain Riccardo Zuppelli has been acting in place of Police Chief Gary Stoldt in directing the day to day operations of the Town Police Department, and

**WHEREAS**, Chief of Police Gary Stoldt has requested that the Town temporarily appoint Captain Zuppelli as the Chief of Police for the period of time the Chief is out on medical absence and that Captain Zuppelli be paid consistent with the compensation paid to the Chief of Police while he temporarily serves as the Chief of Police, and

**WHEREAS**, the Town Board has duly reviewed the request made by Chief of Police Gary Stoldt and has taken into consideration the greater responsibilities assumed by Captain Riccardo Zuppelli in the absence of the Chief of Police;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby temporarily appoints Captain Riccardo Zuppelli to Chief of Police during the absence of Chief of Police Gary Stoldt pursuant to the authority granted to the Town Board under Civil Service Law §64 for a period not to exceed three (3) months, said appointment being retroactive to January 22, 2007, and

**BE IT FURTHER**

**RESOLVED** that the Director of Administration and Finance of the Town of Lancaster is to cause compensation to Captain Zuppelli at the same rate of pay as the Chief of Police retroactive to January 22, 2007 with such compensation to continue for no longer than three (3) months.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid  
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the  
Director of Administration and Finance, to wit:

Claim No. 6808 to Claim No. 7184 Inclusive

Total amount hereby authorized to be paid: \$723,362.05

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

File: Relaims



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

**NEW PERMITS:**

14362	North Forest Devel.	2813 Wehrle Dr	Er. Sign-Wall - Suite 5
14363	Nowakowski, Ronald	558 Aurora St	Repl. Roof
14364	Forbes-Capretto Homes	13 Sawgrass Ln	Er. Dwlg.-Sin.
14365	Tops Markets	4779 Transit Rd	Er. Sign-Temp
14366	Wall, Alfred	41 Meadow Lea Dr	Er. Res. Add.
14367	Randaccio Builders	16 Primrose Ln	Er. Dwlg.-Sin.
14368	Randaccio Builders	18 Primrose Ln	Er. Dwlg.-Sin.
14369	Marrano/Marc Equity	47 Chicory Ln	Er. Dwlg.-Sin.
14370	Marrano/Marc Equity	14 Red Clover Ln	Er. Dwlg.-Sin.
14371	Marrano/Marc Equity	435 Pleasant View Dr	Er. Dwlg.-Sin.
14372	Marrano/Marc Equity	12 Chicory Ln	Er. Dwlg.-Sin.
14373	Flexlume Sign Corp	3919 Walden Ave	Er. Sign-Wall
14374	Randaccio Builders	17 Primrose Ln	Er. Dwlg.-Sin.
14375	Crist Construction	33 Hillside Pky	Er. Res. Add.

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

**SUSPENDED RESOLUTION:**

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER STEMPIAK AND CARRIED, a suspension was granted.

**SUSPENSION GRANTED**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town of Lancaster has heretofore provided a Nutrition Program Congregate Dining Site for the Elderly, and

**WHEREAS**, it is necessary to execute an Agreement between the Town of Lancaster and the County of Erie for the continuance of this program in 2007;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Supervisor be and is hereby authorized to execute an Agreement between the Town of Lancaster and the County of Erie for the operation of a Nutrition Program Congregate Dining Site for the Elderly for the year 2007, and
2. That the Director of Administration and Finance be and is hereby authorized to sign vouchers with funds to be received by the Supervisor.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 26, 2007

**SUSPENDED RESOLUTION:**

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER STEMPNIAC AND CARRIED, a suspension was granted.

**SUSPENSION GRANTED**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER AMATURA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Village of Lancaster Community Development Corporation (VLCD) is applying for a \$200,000 grant from the New York Main Street (NYMS) program through the New York State Division of Housing and Community Renewal, and

**WHEREAS**, the grant will provide funds to implement facade and building renovations for properties in the Central Business District (CBD), and

**WHEREAS**, the Village of Lancaster Community Development Corporation will administer the project, coordinating the efforts of the property owners, business owners, building inspections, contractors and architects, and

**WHEREAS**, the municipality of the Village of Lancaster has made significant investments for improved infrastructure in the Central Business District including road and utilities, and

**WHEREAS**, the Town of Lancaster also invested in a bridge reconstruction within the Central Business District, and

**WHEREAS**, the recent Christmasville was a huge tourist attraction across New York State, Pennsylvania, New England and Canada due to the Central Business District Streetscape and historic Lancaster Opera House, and

**WHEREAS**, the implementation of the New York Main Street program for facade and building renovations will enhance the economic revitalization and tourism for the Village and Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town of Lancaster Council Members and Supervisor Robert H. Giza fully support the efforts of the Village of Lancaster Community Development Corporation to apply and obtain the New York Main Street grant for the purpose of making such worthy improvements to our Central Business District.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAC	VOTED YES
SUPERVISOR GIZA	VOTED YES

## COMMUNICATIONS & REPORTS:

72. Town Clerk to Town Board -  
Town Clerk's monthly report for January 2007. DISPOSITION = Received & Filed
73. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -  
Notice of approval from Town Forestry Department regarding site plan of B&D Concrete Corporation, Lancaster Industrial Park. DISPOSITION = Planning Committee
74. Concerned Citizens to Town Board -  
Petition requesting prohibition of hunting in woods bounded by Transit Road, Northwood Village, Penora Street, and Como Park Boulevard. DISPOSITION = Safety Committee
75. President, Hull House Foundation to Supervisor -  
Letter of appreciation for assistance and support for restoration of Hull House.  
DISPOSITION = Received & Filed
76. The National Arbor Day Foundation to Supervisor -  
Notice of Town being named a 2006 Tree City USA. DISPOSITION = Received & Filed
77. Chairman, Erie County Water Authority to President, Association of Erie County Governments -  
Response to resolution by Association of Erie County Governments criticizing operations of ECWA. DISPOSITION = Received & Filed
78. NYS DEC to LaFarge North America, Inc. -  
Notice of renewal for mining operations at the Burkhardt Pit. DISPOSITION = Town Attorney
79. Erie County Department of Environment & Planning to Supervisor, Town Board -  
Notice of lead agency designation regarding Roseland Subdivision, Phase II; comments and concerns noted. DISPOSITION = Planning Committee
80. Good Earth Organics Corporation to Supervisor -  
Response to complaints of odor originating from Good Earth facility.  
DISPOSITION = Received & Filed
81. Belmont Shelter Corporation to Members, Zoning Board of Appeals -  
Letter expressing concerns regarding proposed Affordable Senior Housing facility, 6026 Broadway. DISPOSITION = Planning Committee
82. NYS DOT to Town Attorney -  
Notice of lead agency designation regarding Roseland Subdivision, Phase II.  
DISPOSITION = Planning Committee
83. Village of Lancaster to Town Board -  
Minutes of meeting held January 8, 2007. DISPOSITION = Received & Filed
84. Village of Lancaster to Town Board -  
Minutes of meeting held January 22, 2007. DISPOSITION = Received & Filed
85. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -  
Notice of approval from Town Forestry Department regarding site plan of Doodle Bugs! Child Care & Preschool Center. DISPOSITION = Planning Committee
86. Wm. Schutt & Associates, PC to Supervisor, Council Member Amatura -  
Letter of appreciation regarding authorized water system improvements. DISPOSITION = Received & Filed
87. Michael & Karen Koeth to Supervisor -  
Letter regarding easement access on Squirrel Run. DISPOSITION = Received & Filed
88. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Deputy Town Attorney, Highway Superintendent, & Building Department -

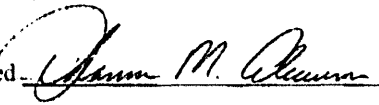
89. Planning Board to Town Board -  
Notice of approval of preliminary plat plan regarding proposed Wainwright Court Subdivision; conditions noted. DISPOSITION = Planning Committee
90. Planning Board to Town Board -  
Notice of approval of site plan for proposed B & D Concrete Corporation, south side of Lancaster Parkway; condition noted. DISPOSITION = Planning Committee
91. Planning Board to Town Board -  
Notice of approval of site plan for Doodle Bugs! Child Care & Preschool Center, north side of Rehm Road; conditions noted. DISPOSITION = Planning Committee
92. Planning Board to Town Board -  
Notice of approval of subdivision sketch plan for Pleasant Meadows, Phase VI; condition noted. DISPOSITION = Planning Committee
93. Planning Board to Town Board -  
Notice of approval of subdivision sketch plan for Pleasant Meadows, Phase V; condition noted. DISPOSITION = Planning Committee
94. Planning Board to Town Board -  
Notice of approval of subdivision sketch plan for Pleasant Meadows, Phase IV; condition noted. DISPOSITION = Planning Committee
95. Planning Board to Town Board -  
Notice of approval of subdivision sketch plan for Pleasant Meadows, Phase VII; condition noted. DISPOSITION = Planning Committee
96. Donald Gallo, P.C. to Town Board -  
Request consideration to provide professional engineering services for water system improvement project. DISPOSITION = Received & Filed
97. Erie County Department of Environment & Planning, Division of Sewerage Management to Town Attorney -  
Directives regarding proposed Windsor Ridge South Subdivision and Erie County Sewer District No. 4. DISPOSITION = Planning Committee
98. Erie County Department of Environment & Planning to Planning Board Chairman -  
Notice of inability to complete review of site plan for B & D Concrete Corporation due to lack of necessary information. DISPOSITION = Planning Committee/Town Attorney
99. Town Attorney to Town Board, Planning Board -  
Notice of SEQR meeting to be held Monday, February 26, 2007, 6:30 PM regarding B & D Concrete, Doodle Bugs!, and re-opening of Wainwright Court.  
DISPOSITION = Received & Filed
100. Town Clerk to Various News Media -  
Notice of SEQR meeting to be held Monday, February 26, 2007, 6:30 PM regarding B & D Concrete, Doodle Bugs!, and re-opening of Wainwright Court.  
DISPOSITION = Received & Filed
101. Town of Concord to Supervisor -  
Transmittal of resolution regarding unfunded state mandates. DISPOSITION = Received & Filed
102. Buffalo Tournament Club Golf Course to Town Clerk -  
Advisement of application for summer liquor license renewal. DISPOSITION = Town Attorney
103. Highway Superintendent to Town Board -  
Request resolution to purchase new pickup from the lowest responsible bidder, namely Basil Chevrolet. DISPOSITION = Resolution 2/26/07
104. Engineering Department to Town Board -

Request resolution to purchase new pickup from the lowest responsible bidder, namely Basil Chevrolet. DISPOSITION = Resolution 2/26/07

105. Town of Alden to Town Board -  
Notice of public hearing to be held March 12, 2007 regarding code interpretation for LaFarge North America, Inc. DISPOSITION = Received & Filed
106. Dog Control Officer to Town Board -  
Request resolution to hire William Gummo Assistant Dog Control Officer, Part Time.  
DISPOSITION = Resolution 2/26/07
107. Lee Chowanice to Town Board, Planning Board -  
Comments and concerns regarding proposed Windsor Ridge South Subdivision.  
DISPOSITION = Planning Committee
108. Lancaster Town Band Inc. to Supervisor  
Request to use park area behind Lancaster Youth Bureau for 2007 concert series.  
DISPOSITION = General Crew Chief - McCracken
109. Selective Insurance Company of America to Supervisor -  
Confirmation of visit of February 15, 2007 and information regarding safety management for the town. DISPOSITION = Received & Filed
110. Town of Elma to Town Board -  
Transmittal of resolution memorializing NYS Legislature and Governor to enact legislation mandating stricter penalties for sex crimes against children.  
DISPOSITION = Received & Filed
111. General Crew Chief to Council Member Montour and Town Board -  
Request resolution to purchase trees for 2007 Tree Planting Program from the lowest responsible bidder, namely Concord Nurseries, Inc. DISPOSITION = Resolution 2/26/07

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER MONTOUR, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned at 10:05 P.M.

Signed   
Johanna M. Coleman, Town Clerk